



## FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

RHANSON@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-3085

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

June 30, 2003

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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
June 30, 2003	
Date	Robert E. Hanson

**Mail Stop Appeal Brief-Patents**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: *SN 09/788,334 entitled "PLANTS AND SEEDS OF CORN VARIETY I015011" – by Thomas B. Carlson*  
Our Ref. DEKA:282US; Client Ref. [34-63(52327)]

Commissioner:

Transmitted herewith for filing are:

1. An Appeal Brief (an original and two copies);
2. Amendment Under 37 C.F.R. §1.116 Submitted With Appeal Brief;
3. A check for \$320.00 to cover the filing fee(s); and
4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

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Commissioner for Patents  
June 30, 2003  
Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEKA:282US.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'REH', written over a horizontal line.

Robert E. Hanson  
Reg. No. 42,628

REH/vv  
Enclosures: As stated



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas B. Carlson

Serial No.: 09/788,334

Filed: February 16, 2001

For: PLANTS AND SEEDS OF CORN  
VARIETY I015011

Group Art Unit: 1638

Examiner: Mehta, A.

Atty. Dkt. No.: DEKA:282US/REH

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June 30, 2003  
Date

Robert E. Hanson

**AMENDMENT UNDER 37 C.F.R. §1.116  
SUBMITTED WITH APPEAL BRIEF**

**Mail Stop Appeal Brief-Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is in partial response to the Final Office Action mailed on January 23, 2003. This amendment is filed concurrent with Appellants' Brief on Appeal. The Appeal Brief is due on June 30, 2003. No fees are believed due in connection with the instant amendment. Should such fees become due, the Commissioner is authorized to withdraw the appropriate fee from Fulbright

& Jaworski Deposit Account No. 50-1212/DEKA:282. Please date stamp and return the enclosed postcard to evidence receipt of this document.

**AMENDMENT**

**In the Claims:**

Please cancel claim 4 without prejudice or disclaimer.

**REMARKS**

Entry of the amendment is proper under 37 C.F.R. § 1.116(a) as it only cancels a claim and will therefore reduce issues on appeal. The amendment cancels claim 4 as being duplicative of the claim from which it depends. Entry of the amendment is thus respectfully requested.

The Examiner is invited to contact the undersigned at the telephone number listed below with any questions.

Respectfully submitted,



Robert E. Hanson  
Reg. No. 42,628  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.3035 (voice)  
512.536.4598 (fax)

Date: June 30, 2003